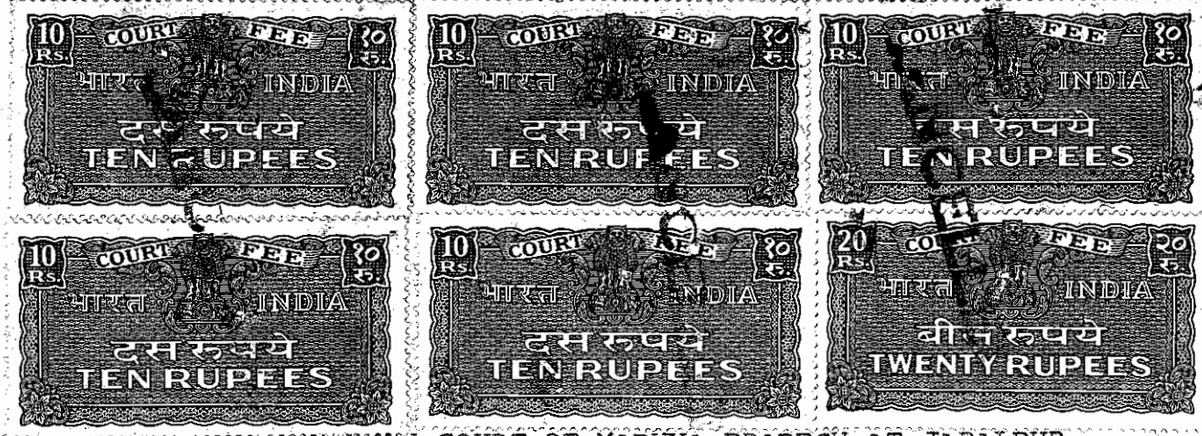

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

WRIT PETITION NO. 4266 /2000

PETITIONER :

G.V.R. RAJA
S/O SHRI G.R. PANDIT
AGED ABOUT 46 YEARS
QR.NO. 10/A
STREET NO.6
SECTOR-9
BHILAI NAGAR (M.P)

VERSUS

RESPONDENTS :

1. THE MANAGING DIRECTOR
STEEL AUTHORITY OF INDIA LTD.
BHILAI STEEL PLANT
BHILAI (M.P)

2. THE TOWN ADMINISTRATOR
BHILAI STEEL PLANT
BHILAI (M.P).

PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA

XI-HC—78

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

(5-1)

मामला क्रमांक WP. 4266/2000 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
13.2.2001	Before: Hon.Mr.Justice W.A.Shishak,C Heard Shri P.Diwakar learned counsel for the petitioner and Shri Alok Aradhe learned counsel for the respondents. The facts may be briefly stated: The writ petitioner is a Senior Manager working under the Steel Authority of India at Bhilai. Some time in 1987 he took loan of Rs.80,000/- and erected a private house where he shifted and stayed on until 1996. Some time in 1996 there was a notice issued by the respondents that Executives working under the Steel Authority of India would be entitled to stay in the accommodation provided by the respondents. There was a format in which one question was whether one had already taken house loan from the Authority. It is stated by Shri Diwakar that it was clearly indicated in the affirmative that indeed the petitioner had availed the house loan which, however, he has paid back fully. The	

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

मामला क्रमांक..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

reason why the writ petitioner wanted accommodation provided by the respondents was because the family needed a place near the hospital where family members who were having serious ailments could be treated. Accordingly, he was allotted a quarter and he shifted to the official quarter on 17.10.96. It is contended that on 16.7.1999 notice was served to the writ petitioner tovacate the premises/quarter in his occupation. Written reply was given to the said notice. It was clarified that loan had been fully repaid. However, the respondents were not agreeable to allow the writ petitioner to continue to stay in the official quarter on the ground that such is opposed to the policy laid down by the competent authority inasmuch as the writ petitioner having availed loan for the purpose of erecting a private house he would not be entitled to get official quarter. At this stage it may be stated that, according to Shri Alok Aradhe learned counsel representing the respondents, in fact at

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आदेश पत्रक

मामला क्रमांक ..... सन् ~~199~~ 2001

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

has been raised for the first time before this Court and this part of the averments has been denied. It is the contention of Shri Aradhe that in fact in the representation made by the writ petitioner no such fact was brought to the notice of the competent authority that similarly situated persons were allowed to continue whereas the case of the writ petitioner has not been treated on equal terms.

Shri Diwakar submits that in view of the situation with which the family of the writ petitioner is faced, particularly in view of the serious ailments which require proper medical attention, the case of the writ petitioner be considered very sympathetically and that the petitioner be allowed to continue to stay like the other two persons, namely, M.L.Nagori and Y.P.Sondhi.

After hearing Shri Diwakar learned counsel for the petitioner as well as Shri Aradhe learned counsel for the respondents at some length, I am

[पीछे देखिये

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आदेश पत्रक

मामला क्रमांक ..... सन् ~~199~~ 2001

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

of the opinion that in view of the difficulty with which the petitioner is faced, particularly in view of the serious ailments of the members of the family, it is incumbent upon the respondents to consider the case of the petitioner on humanitarian grounds and treating it as a special case. If some other persons who are similarly situated as the petitioner, have been allowed the facility which the petitioner is claiming, the competent authority should also consider this aspect. Let the writ petitioner submit a representation giving details of his needs within fifteen days from today and on receipt of the same the competent authority shall examine it in the light of the observations that I have made and pass necessary orders. Petition is disposed of.

C.C. be given as per rules.

Sd/-
Chief Justice

[पीछे देखिये